

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

ENZO LIFE SCIENCES, INC.

Plaintiff,

v.

ROCHE MOLECULAR SYSTEMS, INC.,  
ROCHE DIAGNOSTICS CORPORATION,  
ROCHE DIAGNOSTICS OPERATIONS, INC.  
and ROCHE NIMBLEGEN, INC.

Defendants.

C. A. No. 12-106-LPS

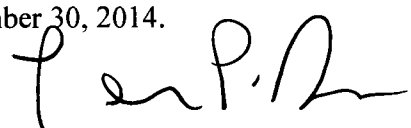
JURY TRIAL DEMANDED

**~~PROPOSED~~ ORDER**

WHEREAS, Defendants Roche Molecular Systems, Inc., Roche Diagnostics Corporation, Roche Diagnostics Operations, Inc. and Roche Nimblegen, Inc. (collectively, "Roche") moved to strike the newly accused products of Roche set forth in Enzo Life Sciences, Inc.'s Supplemental Infringement Charts dated September 30, 2014 (the "Motion");

WHEREAS, the Court considered the Motion and opposition thereto;

IT IS HEREBY ORDERED this 8<sup>th</sup> day of January, 2015, for the reasons set forth by the Court during the December 18 conference, that Roche's Motion to Strike Enzo's Newly Accused Products (D.I. 168) is GRANTED in full as follows: The newly accused products of Roche, as listed in Exhibit 1 to this order, are stricken from Enzo Life Sciences, Inc.'s Supplemental Infringement Charts dated September 30, 2014.

  
The Honorable Leonard P. Stark  
Chief, United States District Judge

## EXHIBIT 1

**Stricken Roche Products<sup>1</sup>**

1. COBAS® TaqMan® MTB Test
2. cobas® HPV Test
3. cobas® KRAS® Mutation Test
4. cobas® TaqScreen DPX Test
5. cobas® 4800 MRSA/SA Test
6. cobas® C. diff Test
7. cobas® HSV Test
8. cobas® EGFR Test
9. cobas® HEV Test
10. cobas® CMV Test
11. cobas® HSV 1 and 2 Test
12. Affymetrix GeneChip technology-based products other than AmpliChip CYP450

Tests:

- CF
- HLA
- HPV
- Leukemia
- PS3
- Osteo
- CVD Risk
- Rheumatoid Arthritis Monitoring and Therapy Monitoring
- Asthma Therapy Prediction
- Hypertension Therapy Prediction
- Stroke Predisposition
- HIV Genotyping

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<sup>1</sup> The products identified in Enzo's September 2013 infringement contentions are not subject to the Court's ruling on Roche's motion.